

KATHLEEN STAIRIKER
2218 Pleasant Drive
Catonsville, Maryland 21228

Plaintiff

v.

WALMART, INC.
d/b/a Sam's Club
701 South Walton Boulevard
Bentonville, Arkansas 72716

SERVE ON:

The Corporation Trust Incorporated
2405 York Road
Suite 201
Lutherville, Maryland 21093

Defendants

* * * * *

COMPLAINT COUNT I

NOW COMES the Plaintiff, Kathleen Stairiker, by her attorneys, Perry Lericos, and the Law Firm of Parker, Pallett, Slezak, & Russell, LLC and pursuant to MD Rule 2-101, sues the Defendant, Walmart, Incorporated, and says:

1. The acts and omissions herein complained of occurred in a Sam's Club located at 5702 Baltimore National Pike, Catonsville, Maryland, which is owned and operated by Walmart, Inc., (hereinafter "Walmart"), a Delaware Corporation, which operates retail stores, supercenters and wholesale clubs globally and within the State of Maryland.

2. On April 1, 2021, at approximately 2:00 p.m., the Plaintiff, Kathleen Stairiker, a business invitee of Walmart, was lawfully walking through the produce section in a designated lane for customers of the Walmart to the checkout area to purchase items she selected. Plaintiff

was walking behind her friend who was pushing the shopping cart.

3. There was fruit on the floor which has fallen from the display case which Plaintiff did not see. Plaintiff's foot slid on the fruit and Plaintiff fell, striking her right knee, then her left knee on the concrete floor. Plaintiff sustained injuries to her posterior cruciate ligament and laxity of the right knee.

4. Walmart, by its employee(s), agent(s) and/or servant(s), were negligent in that they failed to properly remove the fruit on the floor, allowed fruit to fall onto the floor thereby allowing it to be stepped upon and cause a slippery surface, failed to properly clean up the fallen fruit, failed to promptly remove this hazard, to block business invitees from walking onto the fruit, and/or to place any warnings to alert business invitees of its existence and was otherwise negligent.

5. The Defendant, Walmart, knew or should have known of the hazard and the inherently dangerous condition of allowing fruit to fall onto the floor.

6. The Plaintiff sustained serious physical injuries because of the dangerous and hazardous conditions of the aisle of said Premises caused by Defendant, Walmart, negligence in supervision and maintenance of the Premises, to promptly correct the hazardous condition and its failure to adequately warn the Plaintiff of the existence of the hazard.

7. The Defendant, Walmart, had a heightened duty of care to the Plaintiff as she is a business invitee of the premises owned, operated and maintained by the Defendants.

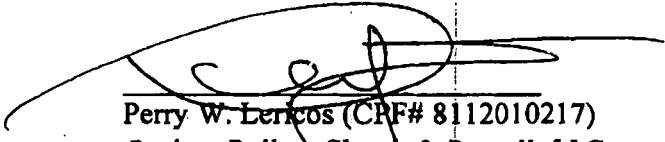
8. The Plaintiff's fall and injuries were directly, solely and causally to the negligence of Defendant, Walmart, and its agents, servants and/or employees.

9. As a direct result of the fall, the Plaintiff, Kathleen Stairiker, suffered serious,

painful, disabling and possibly permanent bodily injuries in and about the head, body and limbs and has been caused, and will be caused in the future, to suffer great physical pain, mental anguish and injuries to her nerves and nervous system, and has been caused and will continue to incur great medical expenses for the care and treatment of her injuries and wounds; has been caused and will continue to be caused to undergo the pain and inconvenience of her injuries; has been caused and will continue to be caused in the future to be precluded from engaging in and attending to her normal employment, activities, duties and pursuits; and has been caused and will continue to be caused in the future to expend great sums of money for other expenses incidental to the damages arising out of the occurrence; and the Plaintiff was otherwise hurt, injured and damaged, now and in the future indeterminately.

10. The Plaintiff further avers that all of the losses, damages and injuries were, are and will be due solely to and by reason of the negligence on the part of the Defendant without any negligence on her part thereunto contributing either directly or indirectly.

WHEREFORE, that by reason of the foregoing, Plaintiff demands monetary damages against the Defendant Walmart in excess of \$75,000.00 (SEVENTY-FIVE THOUSAND DOLLARS).



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